

Town of Cheswold
Planning Commission Special Meeting Minutes
August 5, 2014
Cheswold Town Hall

- I. **Chairperson Coker called the meeting to order at 7:10 pm**
- II. **Pledge to the flag**
- III. **Observed moment of silence**
- IV. **Confirmed proper meeting notice was posted**
- V. **Roll Call of Commissioners to ensure a quorum**

<u>Present</u>	<u>Absent</u>
Dennis Coker	Martha Scott
Alan Roth	Barry Jones
Albert Lambertson	

Chairperson Coker confirmed a quorum has been established. Mr. Coker acknowledged the presence Mayor Tinari.

- VI. **Review of Agenda; motion to accept as presented or as amended**

Commissioner Lambertson made a motion to accept agenda as presented; Commissioner Roth seconded. Motion unanimously carried.

- VII. **Review of previous meeting minutes; motion to accept as presented or as amended**

Commissioner Roth made a motion to accept the July 10, 2014 meeting minutes as presented; Commissioner Lambertson seconded. Motion unanimously carried.

- VIII. **Coleman Lot Redesign Preliminary Plan Review; Update**

Chairperson Coker welcomed Mr. Joe Coleman and began this discussion by explaining the reason for the special meeting of the Planning Commission. Mr. Coker referenced the July 10, 2014 Planning Commission minutes where the Planning Commission requested Mr. Coleman determine who owns the alley which bisects his property and provide the Planning Commission with the method of legal description in the new deeds if the alley were to remain. Mr. Coker stated he told Mr. Coleman a special meeting would be scheduled when he (Mr. Coleman) could provide this additional information. Mr. Coleman provided a letter from his attorney, Sandra Dean, dated July 17, 2014 which provides the requested additional information. Mr. Coker explains in summary the Town of Cheswold owns the alley in question. Via the Sandra Dean letter dated July 17, 2014, Mr. Coleman is requesting abandonment of 220.7 linear feet of the alley which adjoins his property. Mr. Coker informed Mr. Coleman that pursuant to the Town Charter, Section 18. Streets and Alleys the Town Council has jurisdiction in approving or denying his request for abandonment of the alley adjoining his property and he (Mr. Coleman) would have to make this request directly to the Town Council. Mr. Coker told Mr. Coleman the Planning Commission could make a recommendation to the Town Council concerning his request for abandonment of the alley.

Mr. Coker references paragraph three of the Sandra Dean letter dated July 17, 2014 which clarifies the legal descriptions of new sub-divided lots if the alley were to remain.

Mr. Coker asked the Commissioners if they had any questions or concerns relevant to the additional information supplied by Mr. Coleman. The Commissioners expressed an interest in the status of Mr. Coleman's annexation request. Mr. Coker informed the Commissioners a public hearing on Mr. Coleman's annexation request was held on August 4, 2014 and the plan of services process was nearly complete.

Commissioner Lambertson made a motion to recommend approval to the Cheswold Town Council of Mr. Coleman's sub-division request per the sub-division plan with latest revision dated June 25, 2014 with additional recommendation to approve abandonment of the alley as described in the Sandra Dean letter dated July 17, 2014. Recommendation of approval is predicated on receiving a letter of no objection from Tom Wilkes, Town engineer; seconded by Commissioner Roth. Motion carried unanimously.

IX. Motion to Adjourn

Commissioner Lambertson made a motion to adjourn at 8:10 pm; Commissioner Roth seconded. Motion unanimously carried.

Respectfully Submitted

Dennis Coker, Chairperson
Cheswold Planning Commission



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July 17, 2014

Town of Cheswold
691 Main Street
Cheswold, DE 19936

Gentlemen:

I represent Eastern Shore Property Management, L.L.C, which owns several properties in Cheswold. Applications for boundary line adjustments are pending with Cheswold and also with Kent County regarding property adjoining Cheswold. This letter concerns the twelve foot "alley", portions of which adjoin several of Eastern Shore's properties.

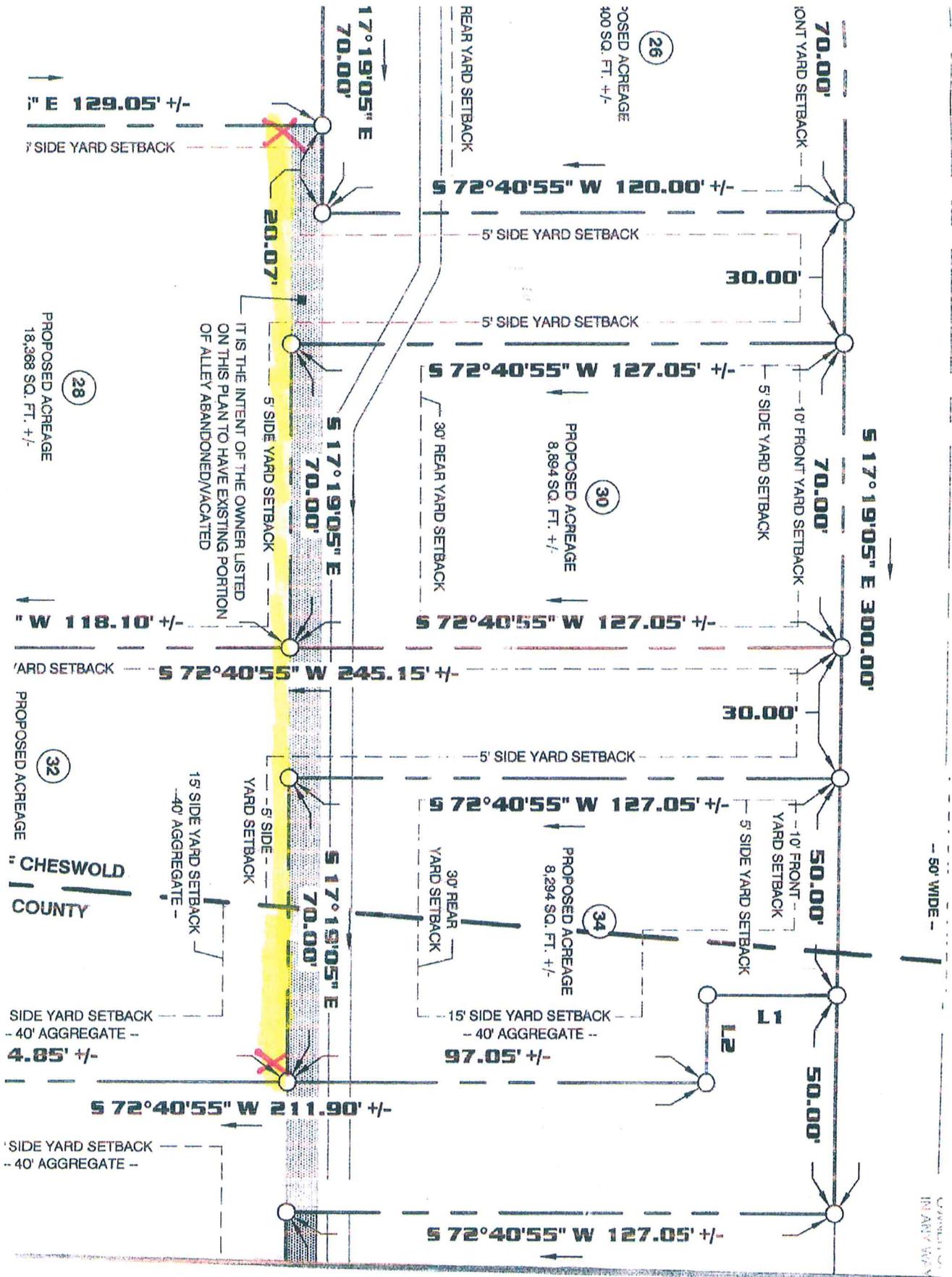
As you know, the alley in reality no longer exists, is not paved or used as a thoroughfare, but appears on maps of the town as a public alley. Eastern Shore is requesting that the town abandon the portion of the alley adjoining his properties. A section of the map is enclosed with this letter which shows the portion, a total of 220.7 feet, bounded on both sides by Eastern Shore's properties.

Pursuant to boundary line adjustments, Eastern Shore will be executing new deeds. If the alley is abandoned, the legal descriptions will be re-written to include the twelve foot addition to Eastern Shore's lots. If the alley is not abandoned, the legal descriptions would describe one section of each lot up to the alley, and the remaining portion on the other side of the alley.

Please feel free to contact Robert J. Coleman, President of Eastern Shore Management L.L.C. with any further questions or concerns.

Yours truly, *Sandra W. Dean*
Sandra W. Dean

Cc: Eastern Shore Management L.L.C.



PROPOSED ACREAGE
18,368 SQ. FT. +/-

PROPOSED ACREAGE

SIDE YARD SETBACK
- 40' AGGREGATE -
4.85' +/-

SIDE YARD SETBACK
- 40' AGGREGATE -

IT IS THE INTENT OF THE OWNER LISTED
ON THIS PLAN TO HAVE EXISTING PORTION
OF ALLEY ABANDONED/VACATED

Eastern Shore Property Management, LLC.
"Alley" issue